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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God, You are our refuge and strength, a very present help during challenging seasons. Thank You for the opportunity to serve You and country.

Use our lawmakers for Your glory. May they experience companionship with You throughout this day. Permit this fellowship with You to impart wisdom, courage, and inspiration. Make them so aware of Your presence that they will refuse to major in minors and minor in majors. Remind them that lawmakers can work miracles with cooperation but accomplish little with legislative brinksmanship. May they make the doing of Your will their highest priority.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. CAPITO). The majority leader is recognized.

ORDER OF PROCEDURE

Mr. MCCONNELL. Madam President, I ask unanimous consent that following leader remarks, the time until 10 a.m. this morning be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the mandatory quorum with respect to the cloture motion on the motion to proceed to S. 534 be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, I ask unanimous consent that there be 2 minutes of debate equally divided before each vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. MCCONNELL. Madam President, this morning the Senate will complete work on a bill to fund the Department of Homeland Security, and then we will turn to Senator COLLINS' bill—commonsense legislation that will protect our democracy from the egregious example of Executive overreach we saw in November. In my view, this deserves broad support. Remember, President Obama said more than 20 times that he couldn't take those kinds of actions. He even referred to overreach such as that as "ignoring the law." So Senator COLLINS' measure simply takes the President at his word and helps him follow the law instead of ignoring it.

The Collins' bill also provides Democrats who led their constituents to believe they would address Executive overreach with a chance to show they were at least a little bit serious when they said that. Democrats won't achieve that by filibustering Homeland Security, and Democrats won't achieve it by holding hypocritical press conferences just hours after voting to block funding for DHS. But they can help us pass a sensible bill from Senator COLLINS that will hold the executive branch to account. After so many weeks of senseless filibustering, that is the least these Democrats owe their constituents.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. REID. Madam President, we are about 14 hours away from a shutdown of the Department of Homeland Security. The Senate will do its part this morning and send the House a clean Homeland Security bill that fully funds the Department through the end of the year. It will stop a government shutdown. Then the House must act, and it must act responsibly. They must pass the Senate bill. We will not go to conference on some jerry-rigged situation they send back dealing with something they do not like about the President for whatever reason. We will not pass any rider-laden monstrosity they send back to us.

The Senate is proving that there is broad bipartisan support for a good, clean bill that will fund Homeland Security and keep that government agency running. It would pass this House—this legislation we are going to pass here in an hour or so—with broad bipartisan support if Speaker BOEHNER would simply allow a vote on it. If he allowed Democrats and Republicans to vote in the House, as has been done for centuries, it would pass overwhelmingly. The only point of his wanting a conference would be to take a clean bill that would pass both Houses and turn it into something that can't pass anything.

This bill we will pass today is not just the Senate's product, it is a bipartisan, bicameral piece of legislation. Last December the House and the Senate, in some very difficult negotiations, worked out an agreement where we would pass 13 funding bills as part of an omnibus spending bill. The House Republicans refused to pass the Homeland Security funding. We now have 12

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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of the 13 we agreed to done. They now have reneged on the deal to do the 13th. This bicameral, bipartisan bill deserves a vote in the House. It would pass, I repeat.

The chairman of the House Foreign Affairs Committee said this:

There's a clear majority in the Senate and the House to pass this legislation.

You cannot govern by shutting down essential lifesaving departments of the Federal Government.

The junior Senator from Illinois said yesterday:

As a governing party, we've got to fund DHS and say to the House, "Here's a straw so you can suck it up." . . . this battle should be the end of the strategy of attaching whatever you're upset at the president [about] to a vital piece of government.

Yesterday Congressman PETER KING of New York put it more bluntly when he said:

We can't allow DHS not [to] be funded. People think we're crazy. There're terrorist attacks all over the world, and we're talking about closing down Homeland Security. This is like living in the world of the crazy people.

Congressman KING went on to say:

I've had it with this self-righteous, delusional wing of the party that leads us over the cliff. . . . It says a lot about the party. It means trouble. How many times can we go over the cliff and survive?

I agree with his sentiments. This isn't just about the Republican Party, this is about our country. How many times can House Republicans send our Nation hurtling toward a cliff?

I listen very closely to the prayer virtually every day. Among other things, the Senate Chaplain, Dr. Barry Black, said, in speaking to our Heavenly Father, "Remind them that lawmakers can work miracles with cooperation but accomplish little with legislative brinksmanship." That was in the prayer offered here this morning.

How many times can we narrowly avert catastrophe just so Republicans get a gold star from radical pundits? They need to do the right thing and pass the Senate's clean bill—pass it today and quickly.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 240, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Pending:

McConnell (for Cochran) amendment No. 255, in the nature of a substitute.

McConnell amendment No. 256 (to amendment No. 255), to change the enactment date.

McConnell amendment No. 257 (to the language proposed to be stricken by amendment No. 255), to change the enactment date.

McConnell amendment No. 258 (to amendment No. 257), of a perfecting nature.

McConnell motion to commit the bill to the Committee on Appropriations, with instructions, McConnell amendment No. 259, to change the enactment date.

McConnell amendment No. 260 (to the instructions) amendment No. 259), of a perfecting nature.

McConnell amendment No. 261 (to amendment No. 260), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. will be equally divided in the usual form.

The Senator from Maryland.

Ms. MIKULSKI. Madam President, as the vice chair of the Committee on Appropriations, I rise to speak on the Homeland Security funding bill.

This morning the Senate moves to fulfill its responsibility—its national responsibility—to pass the Homeland Security bill which would fully fund the Department through the fiscal year 2015. This fulfills a constitutional oath we Senators took to protect and defend the Constitution and the people of the United States against all foes, foreign and domestic. The domestic is here today. The domestic is in homeland security. The domestic is in what we need to do to fulfill our responsibility. We take oaths to the Constitution. We say we want a constitutionally driven government. So do I. We need to get off of our press releases and pass this bill.

I am really proud of the fact that we on the Committee on Appropriations did our job, and we did it in December. The subcommittee chairs of Homeland Security did their due diligence and came up with an affordable framework for funding the Homeland Security bill. It met the bottom line, met the budget caps, but also met our compelling national security needs.

Congressman HAL ROGERS in the House, for whom I have nothing but great respect, and I came to a fiscal agreement, but we did not have the ability to move it forward because there were those who wanted to delay putting it in the omnibus because they were having a temper tantrum with the President of the United States over his Executive authority. Could he move his Executive authority on the topic of immigration? So there was a solution to delay the funding so that we could have cooler heads prevail: Oh golly, do it after the election. And once again we punted and delayed and parsed, punted and issued press releases. That is what we got out of the House and somewhat out of the Senate.

Where are we today? Thanks to the leadership of the two leaders, Senators MCCONNELL and REID, we have a path forward. I urge my colleagues to look at this path. The significant part of it is to pass a clean funding bill to make sure Homeland Security is funded the entire year so we can meet the needs of the national programs, such as the

Coast Guard, and make sure that grants go out to our first responders, who are truly our boots on the ground, such as volunteer fire departments that right now are out there in some parts of our communities getting sick people out with snowmobiles. Senator COLLINS of Maine and I have talked about her Maine and my Garrett County, where, when we have had a hurricane, these people go and get elderly people out on Zodiacs, sometimes wading through water and wondering if they are going to step on power lines.

We have to get real here. There are those who want to increase defense funding so we can protect America against ISIL. We protect America from ISIL right here in this bill. You want to protect America, vote for the clean funding bill. You want to protect America's border, fight for the funding bill. You want to make sure we don't have illegal aliens in this country, make sure you are funding the Border Patrol—23,000 people all in uniform out there on the border manning the best technology we can afford. So whatever we say we want to do, this is the way to do it. This is the way to do it.

We understand the Senate would also like to debate immigration. We respect that viewpoint. We also respect that the matter that is of concern about the President's Executive authority is going through the courts. Don't punish the Border Patrol agent, don't punish the person working in the Coast Guard out on an ice cutter, don't punish the volunteer firefighter because you are angry at Obama. I say to my folks on my side of the aisle, make sure we vote to pass a clean funding bill here today. And I say also to the other side of the aisle to do it.

I really appreciate the fact that Senator REID and Senator MCCONNELL have arrived at this parliamentary Senate vote to get us where we need to be going. But I say to my friends in the House, to delay this 3 more weeks is reckless and it is dangerous. What are we going to know? We are waiting for the courts to decide? Who knows when the courts will decide. What we do know is not what the courts will decide, but we know we have a legal process. A judge has made a decision. It will go through the court of appeals, maybe even to the Supreme Court. Let the court follow its process. But in the meantime, while the courts are doing their job, can we at least get around to doing our job so that the men and women who provide for us and fight every day, whether it is the local volunteer fire department or our Secret Service, our Coast Guard, or those working in cyber security—and the Director of National Intelligence, Director Clapper, says cyber security is a bigger threat than ISIL—can do theirs?

So let's get on with it, and let's fulfill our constitutional responsibility when we said we take the oath to protect America against all enemies, foreign and domestic.

Madam President, I yield the floor.